

Order no. 14

Dt. 16.6.26

The record is put up before me.

The sole accused, who is on Court bail, is present.

The learned Assistant Public Prosecutor is also present.

At this stage, the learned Advocate for the accused submits that the accused is willing to plead guilty to the offences punishable under Section 506 of the Indian Penal Code. The learned Assistant Public Prosecutor opposes acceptance of the plea of guilt. Submissions of both sides are heard and the record is perused.

The substance of the accusation is read over and explained to the accused in a language known to and understood by him. In response, the accused, in his own words, states, "আমি দোষী, আমি ক্ষমা প্রার্থী", meaning thereby, "I am guilty, I seek forgiveness."

Upon further inquiry, the accused confirms before this Court that the plea of guilt has been made voluntarily and consciously, without any threat, coercion, inducement or promise, and that he is fully aware of the legal consequences of such plea. This Court has carefully observed the demeanour of the accused and considered all relevant facts and circumstances. This Court is satisfied that the plea of guilt has been made knowingly and voluntarily.

Accordingly, the accused is convicted for the offences punishable under Section 506 of the Indian Penal Code on the basis of his voluntary plea of guilt.

On the question of sentence, submissions of both sides are heard. The following mitigating circumstances are taken into consideration:

1. The accused has admitted his guilt in open Court and expressed remorse.
2. No criminal antecedent of the accused has been brought on record.
3. The case has remained pending for a considerable period of time.
4. The principles of sentencing require a judicious balance between punitive and reformatory considerations.

Considering the nature of the offences, the voluntary plea of guilt, the remorse shown by the accused, the absence of any criminal antecedent, and the mitigating circumstances noted above, this Court is of the considered opinion that a lenient sentence would meet the ends of justice.

Hence, it is **ORDERED**

That the convict is sentenced to pay a fine of Rs. 100 (Rupees one Hundred only). In default of payment of fine, he shall undergo simple imprisonment for one day.

Let a free copy of this order be furnished to the convict forthwith. The conviction and sentence shall be recorded in the appropriate register and necessary intimation be sent to all concerned.

D/C by me.

Judicial Magistrate, Kalna